

JUL 12 2006 12:17PM

CBL&H 202 293 6229

**RECEIVED**  
**CENTRAL FAX CENTER**

NO. 4473 P. 1

JUL 12 2006

## FAX TRANSMISSION

DATE:

7-12-06

PTO IDENTIFIER: Application Number 10/524,850-Conf. #3590

Patent Number

Inventor: Rolf-Hartmuth Fischer et al.

MESSAGE TO: Office of Initial Patent Examination

FAX NUMBER: (571) 273-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Joseph Barrera

PHONE: (202) 331-7111

Attorney Dkt. #: 12810-00021-US

PAGES (Including Cover Sheet): 9

CONTENTS: Request for Corrected Filing Receipt (2 pages)  
Certificate of Transmission (1 page)  
Marked-up Official Filing Receipt (3 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (202) 331-7111 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**CONNOLLY BOVE LODGE & HUTZ LLP**  
1980 M Street, N.W., Suite 800, Washington, DC 20036  
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

PTO/SB/57 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

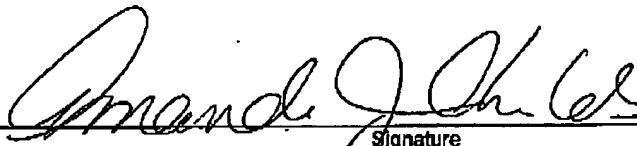
Application No. (if known): 10/524,850

Attorney Docket No.: 12810-00021-US

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on 7-12-06  
Date

  
\_\_\_\_\_  
Signature  
Amanda J. Childs  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

\_\_\_\_\_  
Registration Number, if applicable

\_\_\_\_\_  
(202) 331-7111  
Telephone Number

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Request for Corrected Filing Receipt (2 pages)

Marked-up Official Filing Receipt (5 pages)

**RECEIVED  
CENTRAL FAX CENTER**

JUL 12 2006

Docket No.: 12810-00021-US  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Rolf-Hartmuth Fischer et al.

Application No.: 10/524,850

Group Art Unit: 1626

Filed: February 18, 2005

Examiner: Not Yet Assigned

For: Method for the Production of Optically Active 2-  
Amino-, 2-Chloro-, 2-Hydroxy or 2-Alkoxy-1-  
Alcohols

---

**REQUEST FOR CORRECTED FILING RECEIPT**

Filing Receipt Corrections  
Office of Initial Patent Examination  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has an error in the portion titled Assignment For Published Application. It should read:

**BASF AKTIENGESELLSCHAFT, LUDWIGSHAFEN, GERMANY**

As the error was made by the Patent and Trademark Office, it is believed that no fee is due. Please credit our Deposit Account No. 22-0185 as necessary to effect entry of the attached corrections.

Application No.: 10/524,850

Docket No.: 12810-00021-US

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 12810-00021-US from which the undersigned is authorized to draw.

Dated: 6-11-06

Respectfully submitted,

By 

Joseph Barrera

Registration No.: 44,522

CONNOLLY BOVE LODGE &amp; HUTZ LLP

1990 M Street, N.W., Suite 800

Washington, DC 20036

(202) 331-7111

(202) 293- 6229 (Fax)

Attorney for Applicant

12810/00021  
BAA/UB  
UNITED STATES PATENT AND TRADEMARK OFFICEUNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE RECD	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/524,850	02/18/2005	1626	900	12810-00021-US		16	2

CONFIRMATION NO. 3590

30678  
CONNOLLY BOVE LODGE & HUTZ LLP  
SUITE 800  
1990 M STREET NW  
WASHINGTON, DC 20036-3425

## FILING RECEIPT



\*OC00000018107880\*

Date Mailed: 03/03/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Rolf-Hartmuth Fischer, Heidelberg, GERMANY;  
Nils Bottke, Mannheim, GERMANY;

## Assignment For Published Patent Application

BASHAKTIENGESellschaft, LUDWIGSHAFEN, GERMANY  
BASFPower of Attorney: The patent practitioners associated with Customer Number 30678.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/09513 08/28/2003

## Foreign Applications

GERMANY 102 41 292.8 09/04/2002

If Required, Foreign Filing License Granted: 02/21/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/524,850**

Projected Publication Date: 06/01/2006

Non-Publication Request: No

**Early Publication Request: No**

**Title**

Method for the production of optically active 2-amino 2-chloro, 2 hydroxy or 2-alkoxy-1-alcohols

**Preliminary Class**

548

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce Initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted

under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22315-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,850	Rolf-Hartmuth Fischer	12810-00021-US

INTERNATIONAL APPLICATION NO.

PCT/EP03/09513

LA. FILING DATE

PRIORITY DATE

08/28/2003

09/04/2002

30678

CONNOLLY BOVE LODGE & HUTZ LLP  
SUITE 800  
1990 M STREET NW  
WASHINGTON, DC 20036-3425

CONFIRMATION NO. 3590

371 ACCEPTANCE LETTER

\*OC000000018107881\*

Date Mailed: 03/03/2006

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

02/18/2005

02/18/2005

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
(c)(4) REQUIREMENTS

DATE OF COMPLETION OF ALL 35 U.S.C. 371  
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 02/18/2005
- Copy of the International Search Report filed on 02/18/2005
- Copy of IPE Report filed on 02/18/2005
- Preliminary Amendments filed on 02/18/2005
- Information Disclosure Statements filed on 02/18/2005
- Oath or Declaration filed on 02/18/2005
- Request for Immediate Examination filed on 02/18/2005
- Copy of references cited in ISR filed on 11/14/2005
- U.S. Basic National Fees filed on 02/18/2005
- Priority Documents filed on 02/18/2005



---

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

---

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)